

Minutes of the Judiciary and Law Enforcement Committee – August 15, 2008

Chair Bonnie Morris called the meeting to order at 8:31 a.m.

Committee Members Present: County Board Supervisors Bonnie Morris (Chair), Kathleen Cummings (arrived at 8:33 a.m.), Dave Falstad (left at approximately 11:10 a.m.), James Behrend (arrived at 8:33 a.m.), John Pledl, Jean Tortomasi and Peter Wolff (left at approximately 10:30 am).

Also Present: Legislative Policy Advisor Dave Krahn, Legislative Associate Karen Phillips, Supervisor Duane Paulson, Chairman Jim Dwyer, Chief of Staff Mark Mader, Emergency Preparedness Director Richard Tuma, Emergency Management Coordinator William Stolte, Chief Judge Mac Davis, Court Management Assistant Nancy Ruiz, Sheriff Dan Trawicki, Business Manager Tom Koth, Assistant Jail Administrator Meg Schnabel, Jail Administrator Mike Giese, Deputy Inspector Eric Severson, Inspector Steve Marks, and Mr. John Dillon of the Wisconsin Professional Police Association.

Approve Minutes of May 16, 2008

MOTION: Tortomasi moved, second by Falstad, to approve the minutes of June 13, 2008. Motion carried 5-0.

Cummings and Behrend arrived at 8:33 a.m.

Chair's Executive Committee Report of July 28

- Update on Information Technology Projects
- Status Update of Open Information Technology Capital Projects
- Status Update of Capital Projects – 2007 Year End Report
- Chairman Dwyer's Report on the National Association of Counties Convention held July 12 – 15 in Kansas City, Missouri

Report by Committee Member Liaisons

- Tortomasi reported on the DOC meeting held on Monday, August 11. She provided a status update of the process in finding a new CAD system.
- Cummings reported that the LEPC meeting was cancelled.
- Morris reported on the Wisconsin Counties Association meeting, which she attended in Madison a few weeks ago.

Discuss Historical and Long Term Plans for Building, Renovating and Maintaining the Courthouse

In reviewing his PowerPoint presentation titled "The Future of Waukesha's Courthouse", Davis discussed the following items:

- History of the current building – The Courthouse was dedicated in 1959, and added to in 1963. Over the last 40 years, various office spaces were remodeled into courtrooms with functional compromises.
- Review of neighboring courthouses in Washington, Jefferson, Ozaukee, Walworth, Dodge, Dane, and Rock Counties
- Present Waukesha County Courthouse: Of the 15 courtrooms, only 3 have direct jail access. All of the courtrooms are below the Supreme Court standards. The building is becoming obsolete and inefficient. The infrastructure and water pipes are failing, and there are problems with the heating/air conditioning systems and the front entrance lobby is deficient. With a

substantial population growth projected, possible increase in crime rate and State law changes will require more judges and additional courtroom space.

- Choice for the future: Maintain, upgrade, remodel, add to present courthouse, or build a new courthouse

Davis explained that he, Carolyn Evenson, and Mike Neimon met with Rich Bolte, Mark Keckeisen, Dennis Cerreta to review the present status of the Courthouse and needs for the future. Davis reviewed the administration's plan for the courthouse for another 30 or more years of use. The cost is estimated at approximately \$25 million dollars over the next five years for maintenance and upgrades. Another \$20-30 million more would be required for a major addition for more courtrooms.

Davis reviewed some of the factors to consider in building a new Courthouse. The cost for a new building is an estimated \$40-\$80 million; however, it may result in saving some/most/all of the projected maintenance and upgrade costs for the current Courthouse. Davis explained some of the advantages of a new facility including:

- Safety – Separation of public, staff, and prisoners; improved entry screening, current fire sprinklers and safety standards, fewer age related problems, failures.
- Court processing quality – Proper size and layout for courtrooms, staff areas and jury facilities; current courtroom presentation equipment and space
- Jail and court efficiencies – Prisoner proximity and holding spaces, proper conferencing areas, better media/camera positioning
- Building efficiencies – More energy efficient; adaptable for remodeling/reconfiguration; reduced repairs in new building; will not need total replacement 30 years from now

Davis reviewed a diagram of the current Courthouse campus and gave examples of other possible layouts, including the campus without the Courthouse and a possible new Courthouse placement with a sample internal layout.

Davis stated that on Monday he attended a meeting with County Executive Vrakas, Chairman Dwyer, Morris, and others. They were informed that, after a study of comparable buildings around the country, it would take approximately \$51.5 to build a new, 190,000 square foot courthouse. Davis advised that the timeline is running for the decision makers as they are called upon to spend major amounts on the current building or plan a new Courthouse for the future.

Morris thanked Davis for his informative presentation. She stated that because the meeting is running behind schedule, discussion of his presentation would be agendaized for the next meeting. Morris asked Dwyer to summarize the highlights of Monday's meeting with the County Executive regarding putting money into the 2012 budget for a cost benefit analysis.

Dwyer stated that Administration is expressing that the 2012 timeframe fits in with Human Services Building being constructed and other projects in the capital plan nearing completion. Dwyer said that Davis did an excellent job in looking at the policy decisions that must be made. Dwyer advised that it is not too early for the Board to be looking toward the future of the Courthouse.

Discuss and Consider Ordinance 163-O-031: Accept Homeland Security-Urban Area Security Initiative FY2006 Program Funding And Modify The Emergency Preparedness 2008 Budget To Appropriate Grant Revenues And Expenditures To Purchase Portable Video Surveillance System

Tuma explained that the UASI grant will purchase seven video surveillance camera systems for the Milwaukee area, and Waukesha County will receive one of these systems. The system will provide

enhanced surveillance capabilities because they have the ability to digitally record observations and can be easily deployed to monitor key infrastructure or events. Stolte explained that the cameras are self-contained on a trailer for easy transport.

MOTION: Wolff moved, second by Tortomasi, to approve Ordinance 163-O-031. Motion carried 7-0.

Overview of Sheriff's Department and Introduction of Staff

Trawicki began with the introduction of the Sheriff's department Staff and gave a brief description of their duties. Trawicki continued with the review of the Waukesha County Sheriff's Department 2007 Annual Report. He explained that the Waukesha County Sheriff's Department is the third largest Sheriff's Department in the State. It is the largest law enforcement agency in Waukesha County, with a budget of approximately \$31 million. There are 337 employees in total. The Sheriff's Department provides direct service to a population of approximately 90,000; however, they serve the citizens of every community in the County, not just in the jail or courts, but also in providing backup to police departments within the local communities and on I-94.

The Detective Bureau handled over 1,500 cases in 2007, including recent bank robberies in Big Bend and high profile sexual assault investigations. The Detective Bureau works closely with the jail in the electronic monitoring implementation. The detectives follow up with the inmates on electronic monitoring making sure that they are complying with the restrictions placed upon them. The Computer Lab activities include background investigations and welfare fraud. In 2007 the Metro Drug, defendants were up 10% over the previous five-year trend. Recently there were arrest warrants for 27 individuals regarding trafficking of heroin resulting from an ongoing investigation with the High Intensity Drug Trafficking Agency (HIDTA) and the DEA.

Trawicki stated his staff screens an average of just under 1100 people through the front-entrance security station each day. Typically, 15 - 20 people are not allowed in because of the objects they are carrying. The Sheriff's Courts Division staff served 12 circuit courts and court commissioners, processed over 7,000 papers and served over 6,000 warrants.

The Patrol Division is one of the most visible aspects of the Sheriff's Department. This year, a new contract for police services began with the Town of Lisbon for 16 hours a day, 7 days a week. Currently, police contracts are in effect with Sussex, Lisbon, Village and Town of Merton, Town of Delafield and the Town of Waukesha. For 2007, the Patrol Division issued 8,203 traffic and County ordinance violation citations, generated 5,837 incident reports and wrote 2,200 accident reports. Prisoner transports are a major daily activity for the department, 8-16 hours a day, 7 days a week. This includes transporting prisoners between various State and County correctional and mental facilities and our jail and/or courts. Pledl asked whether Trawicki would consider using part-time civilian drivers as a cost savings over using fulltime deputies. Trawicki stated he would be hesitant to say that much would be accomplished by using part-time drivers, as the deputies are used for a variety of duties including reducing overtime, covering vacations or other shortages. He emphasized that their flexibility is an important factor. There may be an initial cost savings, but not much is gained in the long term based on what is lost with the flexibility of the position.

Trawicki reviewed the School Resource Officer (SRO) Program in place at the high schools including the Hartland-Arrowhead, Sussex Hamilton, and Kettle-Moraine School Districts. These officers work with administration, students, teachers and parents to promote the safety and well-being of the students and staff. Their activities include responding for thefts, truancy, drugs, personnel issues, patrolling parking lots and investigating leads from students regarding crimes within the schools. Existing personnel were used; no additional officers were added for these positions. When school is out for the summer, those officers are assigned to other duties. Trawicki explained that the cost of one SRO has

been determined to be about \$79,000 per year. For budgetary reasons, Trawicki stated a portion (50%) of the costs be recovered from the schools directly served by the SRO Program, beginning in 2009.

Trawicki described the activities of some of the specialty units, including Underwater Search and Recovery, Canine Unit, Honor Guard, Accident Reconstruction, Chaplain Corp, and the DARE program. Trawicki stated he is supportive of teaching DARE in the schools, but the Board felt differently. Currently the DARE program is taught only in those schools that will pay for it, mainly parochial schools.

Trawicki reviewed the Jail Division operational data and statistics. He stated the main jail is intended to house 469 inmates. The Huber jail had one floor closed in order to shift personnel over to the main jail. The Huber population has been maintained by putting people on electronic monitoring. The Huber population is currently 192, with 32 on electronic monitoring. Trawicki said that generally speaking, he is not a fan of electronic monitoring; he believes the punishment should be jail. Electronic monitoring was implemented only because it was a budgetary consideration. It has been very successful thus far, with minimal problems.

Trawicki stated that today, the jail population is 409, from a high earlier this year of 485. It is overcapacity; in jail terms, when you are at 80% of your normal capacity you are full. This is because of the types of inmates which are being housed, including mentally ill or incompetent, those who are suicidal or homicidal, and some with disabilities and very severe medical conditions. They are currently housing 64 Federal inmates. Trawicki discussed the possibilities of shipping inmates to other facilities to avoid overcrowding and the costs involved in doing so. He discussed the options to consider regarding the future of the Jail:

- Take the existing jail, which is meant to be expandable, and go up one floor
- Retro fit the old, 1950's facility
- Build a new jail, at the cost of \$50,000,000
- Ship the inmates to another facility, at a cost of about \$50 per day per inmate plus transportation costs.

Trawicki briefly expressed his thoughts and ideas regarding the Prisoner Movement Study.

Cummings suggested videotaping future County Board presentations, such as discussion of the Prisoner Movement Study, for new supervisors or the public, in that more could be learned from the presentation than from a document alone.

Sheriff's Department Budget Update

Trawicki stated there are several issues that are beyond his control, including increasing fuel prices. Sheriff's Department vehicles drive an average of 1.72 million miles per year. The Federal inmate revenue was budgeted for \$72 dollars per day, but the amount paid was only \$65.00 per day, resulting in a \$135,000 shortfall over projections. The Sheriff's Department staffing vacancy and turnover has been extraordinarily low. There are currently no openings in Corrections. Although money is saved in overtime, a certain amount was budgeted for expected vacancy and turnover, which did not occur. Trawicki projected that there would be an approximate \$113,000 budget deficit at the end of this year.

Trawicki stated that incidents in the jail, such as attempted suicides, inmate-on-inmate assaults, assaults against staff, or any variety of misconduct, occur very minimally. In conclusion, Trawicki commended the jail staff for their outstanding job performance, as there are very few grievances and very few issues within the jail.

Wolff left at approximately 10:30 a.m.

Discuss the Sheriff's Department/Jail Division - Staffing Analysis Final Report

Morris and Mader commended the Sheriff Department Staff for the commitment and time put into the intensive study and resulting comprehensive report.

Giese explained that the process used in the Waukesha County Sheriff's Department Jail Staffing Analysis was taught and supported by the National Institute of Corrections. Giese reviewed the numerous elements studied in this extensive report. The analysis included an in depth review of the entire jail operation. The goal was to ensure the right people were doing the right things at the right times for the right reasons, and to reduce risk and liability in the jail.

The net annual work hours (NAWH) calculations were used instead of the "Shift Relief Factor" historically utilized for calculating jail-staffing needs. The NAWH method focuses on the hour as the unit measured, rather than the shift or the day. The resulting figures indicated a need for 129.65 full-time correctional officer positions to meet the jail facility staffing minimums. Currently there are 118.5 full-time correctional officer positions approved by the County. The analysis confirmed the need for an additional 11.15 full-time correctional officer positions.

Falstad left at approximately 11: 10 a.m.

Giese explained the 80% rule as applied to the population limit in a jail. It is a national standard that determines that a jail is full when it is at 80% of its capacity. This allows for the flexibility to move prisoners, depending on their classification, and to keep people safe (375 prisoners is 80% in Waukesha County).

MOTION: Cummings moved, second by Tortomasi, to accept the Waukesha County Sheriff's Department / Jail Division - Staffing Analysis Final Report. Motion carried 5-0.

Future Agenda Items

- Discussion of Judge Davis's presentation about the future of the Courthouse

Meeting Approvals

Morris reminded the Committee members about the invitation to participate in the Sheriff's Academy. Though it would not be an approved meeting, (consequently mileage would not be covered), Morris encouraged the supervisors to attend this very educational and worthwhile program.

Future Meeting Dates

- September 19 - Capital Projects
- September 26 – 2009 Budget Reviews
- October 3 – 2009 Budget Reviews

Discussion of "Juror Appreciation Day" - September 3, 2008

Morris stated that September is Juror Appreciation Month in Wisconsin. A Juror Appreciation Day in Waukesha County will be celebrated on September 3, 2008, at 2:30 p.m. in the ceremonial courtroom (Room 215). Chief Judge Davis, State Chief Justice Shirley Abrahamson, Judge Kiefer and Carolyn Evenson will speak; Chairman Dwyer will present a County resolution; and County Executive Vrakas will present a proclamation from the County. Morris stated more information will follow, and she encouraged the Committee members to attend, if possible.

Legislative Update

Krahn spoke briefly regarding the following items:

- Status of the Byrne Grant
- Progress of the 9-1-1 legislation
- Revenue enhancements

MOTION: Cummings moved , second by Behrend, to adjourn the meeting at 11:40 a.m.
Motion carried 5-0.

Respectfully submitted,

Kathleen M. Cummings
Secretary